

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

Claim 1 (currently amended): A ~~new~~ amorphous form of 1-amino-3,5-dimethyltricyclo[3,3,1,1^{3,7}]decane hydrochloride (memantine hydrochloride).

Claim 2 (currently amended): The amorphous form of memantine hydrochloride according to claim 1, ~~characterized by an~~ wherein the X-ray powder diffraction pattern substantially in accordance with Figure 1 lacks any discernible peaks.

Claim 3 (original): The amorphous form of memantine hydrochloride according to claim 1 containing less than about 10% crystalline memantine hydrochloride.

Claim 4 (currently amended): The amorphous form of memantine hydrochloride according to claim 1 containing essentially free of crystalline memantine hydrochloride.

Claim 5 (currently amended): A process for preparing amorphous form of memantine hydrochloride of claim 1, comprising the steps of dissolving memantine hydrochloride in ~~a solvent~~ water or aqueous alcohol solvent to form a solution, and removing the solvent by lyophilization from the solution to afford amorphous form of memantine hydrochloride of claim 1.

Claim 6 (withdrew): The process of claim 5 wherein the solvent is removed by lyophilization.

Claim 7 (withdrew): The process of claim 6 wherein the solvent is an aqueous solvent.

Claim 8 (currently amended): The process of ~~claim 7~~ claim 5 wherein the aqueous alcohol solvent is a mixture of water and methanol or water and ethanol.

Claim 9 (currently amended): The process of ~~claim 6~~ claim 20 wherein the alcoholic solvent is a C₁-C₄ alcohol ~~the straight or branched chain C₁-C₄ alcohol.~~

Claim 10 (withdrew): The process of claim 5 wherein the solvent is removed by distillation.

Claim 11 (withdrew): The process of claim 10 wherein the solvent is an aqueous solvent.

Claim 12 (withdrew): The process of claim 10 wherein the solvent is a C₁-C₄ alcohol.

Claim 13 (currently amended): The process of ~~claim 12~~ claim 9 wherein the C₁-C₄ alcohol is selected from methanol, ethanol, n-propanol, isopropanol, branched-chain butanols or their mixtures thereof ~~methanol or ethanol.~~

Claim 14 (currently amended): The process of ~~claim 10~~ claim 20 wherein the distillation is performed at a pressure of about 400 mm Hg or less.

Claim 15 (currently amended): The process of ~~claim 14~~ claim 20 wherein the distillation is performed at a pressure of about 80 mm Hg or less.

Claim 16 (currently amended): The process of ~~claim 10~~ claim 20 wherein the distillation is performed at a pressure of from about 30 to about 80 mm Hg.

Claim 17 (currently amended): A pharmaceutical composition comprising an amorphous form of ~~1-amino-3,5-dimethyltricyclo[3,3,1,^{3,7}]decane hydrochloride (memantine hydrochloride)~~ memantine hydrochloride of claim 1 and pharmaceutically acceptable carrier, diluent, excipient, additive, filler, lubricant, solvent, binder or stabilizer.

Claim 18 (original): A pharmaceutical composition according to claim 17, in the form of a tablet, troche, powder, syrup, patch, liposome, injection, dispersion, suspension, solutions, capsule, cream, ointment or aerosol.

Claim 19 (cancelled):

Claim 20 (new): A process for preparing the amorphous form of memantine hydrochloride of claim 1, comprising the steps of dissolving memantine hydrochloride in alcohol solvent to form a solution, and removing the solvent by

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distillation under reduced pressure from the solution to afford the amorphous form of memantine hydrochloride of claim 1.